

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of PACHUK *et al.*

Confirmation No.: 9095

Serial No.: 10/531,349

Group Art Unit: 1635

Filed: April 15, 2005

Examiner: Richard Schnizer, Ph.D.

For: DOUBLE-STRANDED RNA STRUCTURES AND CONSTRUCTS, AND
METHODS FOR GENERATING AND USING THE SAME

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

This paper responds to the Restriction Requirement dated January 3, 2008. A one-month extension of time is hereby requested, making this paper timely filed by March 3, 2008.

In response to the Restriction Requirement, Applicants elect Group 1 (claims 108-168, 173 and 174) without traverse. Applicants reserve the right to pursue claims drawn to the subject matter of Groups 2 and 3 in one or more divisional application(s).

With respect to the election of species requirement set forth at pages 4-5 of the Office Action, Applicants elect the following species without traverse:

A construct encoding an RNA molecule, or an RNA molecule, having at least two double-stranded segments with substantial identity to at least two target polynucleotide sequences of a virus, and in accordance with independent claims 108, 173, and 174.

Applicants further elect the presence of one or more stem-loop structures comprising a double-stranded stem region and a single-stranded loop region, each stem loop structure being separated by a single-stranded spacer region as set forth in claims 129 and 174.

Applicants further elect an absence of a plurality of RNA molecules covalently linked in a 5' to 3' orientation, and an absence in the construct of a gene encoding an RNA polymerase.

Claims 108-129, 135-138, 142, 146, 147, 148, 150, 151-158, 161-168, 173, and 174 read on the elected species. Applicants respectfully request that additional species be searched upon allowance of a generic claim.

The Examiner is invited to call the undersigned for resolution of any issues that may arise during prosecution of this application.

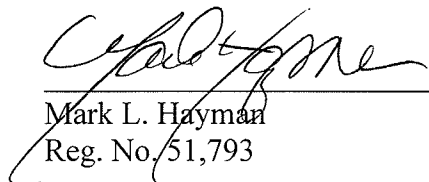
Please charge the fee for a one-month extension of time, as well as any additional fees deemed necessary by the filing of this paper, to Deposit Account 50-1283. Please also credit any overpayments to Deposit Account 50-1283.

Dated: March 3, 2008

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Respectfully submitted,
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